

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT
LEWIS F. POWELL, JR. UNITED STATES COURTHOUSE ANNEX
1100 EAST MAIN STREET, SUITE 501
RICHMOND, VIRGINIA 23219-3517
WWW.CA4.USCOURTS.GOV

NWAMAKA ANOWI
CLERK

TELEPHONE
(804) 916-2700

October 27, 2023

Peter A. (Statt) Moore, Clerk
U.S. District Court
Eastern District of North Carolina
Post Office Box 25670
Raleigh, NC 27611-5670

Re: *Straw v. United States of America*
7:23-cv-00162-BO-BM

Dear Mr. Moore:

The enclosed notice of appeal was received by this court On October 26, 2023.

In accordance with Rule 4(d) of the Federal Rules of Appellate Procedure, the notice has been date stamped and is being forwarded to your court for appropriate disposition. *See* Fed. R. App. P. 4(d) ("If a notice of appeal in either a civil or a criminal case is mistakenly filed in the court of appeals, the clerk of that court must note on the notice the date when it was received and send it to the district clerk. The notice is then considered filed in the district court on the date so noted.").

If this notice of appeal duplicates a notice already received by the district court, the notice need not be transmitted to this court a second time.

Yours truly,



Mark E. O'Brien
Chief Deputy Clerk

MEO: sab

Enclosure

cc: Andrew U.D. Straw (w/ stamped 1st page)
712 H St. NE PMB 92403
Pmb 92403
Washington, DC 20002

MISROUTED NOA

Appellant: STRAW District Court: EDW

Date: 10/25/23 Date Received by 4CCA: 10/24/23

Send as Misrouted NOA

Send as COA → NOA

Send as Construed NOA

Appellant Mailing Address Found:

On D/C Dkt, confirmed by check mark
 On attached screen shot(s), highlighted
 Envelope address OR Within Letter

Additional Instructions: _____

*Thanks
Chris*

2023 OCT 26 PM 4:06

U.S. District Court
EASTERN DISTRICT OF NORTH CAROLINA (Southern Division)
CIVIL DOCKET FOR CASE #: 7:23-cv-00162-BO-BM
Internal Use Only

Straw v. United States of America
Assigned to: District Judge Terrence W. Boyle
Referred to: Magistrate Judge Brian S. Meyers
Cause: Camp Lejeune Justice Act of 2022

Date Filed: 02/21/2023
Jury Demand: Plaintiff
Nature of Suit: 360 P.I.: Other
Jurisdiction: U.S. Government Defendant

Plaintiff

Andrew U.D. Straw

represented by **Andrew U.D. Straw**
Andrew U D Straw
712 H St NE PMB 92403
Pmb 92403
Washington, DC 20002
847-807-5237
Email: andrew@andrewstraw.com
PRO SE

V.

Defendant

United States of America

represented by **Allison Meredith O'Leary**
DOJ-Civ
DOJ Torts Branch - ETL
1100 L St NW
Room 4052
Washington, DC 20005
202-616-4231
Fax: 202-616-4473
Email: allison.o'leary@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Cindy Marie Hurt
DOJ-Civ
Environmental Torts
1100 L ST NW
Ste Lst 4058
Washington, DC 20005
202-718-8160
Email: cindy.m.hurt@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Elizabeth Platt
Department of Justice
Civil Division - Torts Branch
1100 L St. NW
Lst 3520
Washington, DC 20005
814-771-0229
Email: elizabeth.k.platt@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Haroon Anwar
DOJ-Civ
1100 L Street NW

Carla Dietz

From: Cathi Bennett
Sent: Wednesday, October 25, 2023 10:15 AM
To: Carla Dietz
Subject: FW: Straw-petition for relief

"Gift" for you. 😊

From: Mark O'Brien <mark_obrien@ca4.uscourts.gov>
Sent: Wednesday, October 25, 2023 10:14 AM
To: Cathi Bennett <Cathi_Bennett@ca4.uscourts.gov>
Subject: RE: Straw-petition for relief

Yes, please send to Carla. Thank you!

From: Cathi Bennett <Cathi_Bennett@ca4.uscourts.gov>
Sent: Wednesday, October 25, 2023 8:58 AM
To: Mark O'Brien <mark_obrien@ca4.uscourts.gov>
Subject: FW: Straw-petition for relief

Just confirming that this should go to Carla.

Thanks,
Cathi

From: Marcy Beall <Marcy_Beall@ca4.uscourts.gov>
Sent: Tuesday, October 24, 2023 2:43 PM
To: Cathi Bennett <Cathi_Bennett@ca4.uscourts.gov>
Subject: FW: Straw-petition for relief

Should I forward this to Carla now?

From: Mark O'Brien <mark_obrien@ca4.uscourts.gov>
Sent: Tuesday, October 24, 2023 2:40 PM
To: Amanda Bryan <Amanda_Bryan@ca4.uscourts.gov>; Marcy Beall <Marcy_Beall@ca4.uscourts.gov>
Cc: Nwamaka Anowi <Nwamaka_Anowi@ca4.uscourts.gov>
Subject: RE: Straw-petition for relief

I agree that we should construe this as a misrouted notice of appeal because he clearly is seeking to file an interlocutory appeal of the district court order. I also think this constitutes his petition, so I would construe it as that, too, at the appropriate time.

Thanks,
Mark

From: Amanda Bryan <Amanda_Bryan@ca4.uscourts.gov>
Sent: Tuesday, October 24, 2023 9:27 AM
To: Marcy Beall <Marcy_Beall@ca4.uscourts.gov>; Mark O'Brien <mark_obrien@ca4.uscourts.gov>

Cc: Nwamaka Anowi <Nwamaka_Anowi@ca4.uscourts.gov>

Subject: RE: Straw-petition for relief

This looks like a misdirected notice of appeal to me – Mark, what are your thoughts?

-ab

From: Marcy Beall <Marcy_Beall@ca4.uscourts.gov>

Sent: Tuesday, October 24, 2023 9:08 AM

To: Mark O'Brien <mark_obrien@ca4.uscourts.gov>; Amanda Bryan <Amanda_Bryan@ca4.uscourts.gov>

Subject: Straw-petition for relief

Good Morning,

I'm looking for guidance regarding the petition for relief that is attached. Should this be docketed as a mandamus or a rule 5?

Thanks

Marcy

From: 4cca-Cssmgt1 <4cca-Cssmgt1@ca4.uscourts.gov>

Sent: Tuesday, October 24, 2023 8:51 AM

To: Marcy Beall <Marcy_Beall@ca4.uscourts.gov>

Subject: FW: New Case Without Fee Payment Transaction Submitted

From: ecfnoticing@ca4.uscourts.gov <ecfnoticing@ca4.uscourts.gov>

Sent: Tuesday, October 24, 2023 1:06 AM

To: Lisa Jernigan <Lisa_Jernigan@ca4.uscourts.gov>; 4cca-ECF-Registration <4cca-ECF-Registration@ca4.uscourts.gov>;

Cathi Bennett <Cathi_Bennett@ca4.uscourts.gov>; Lisa Jernigan <Lisa_Jernigan@ca4.uscourts.gov>; Taline Fischer

<Taline_Fischer@ca4.uscourts.gov>; Lisa Jernigan <Lisa_Jernigan@ca4.uscourts.gov>; 4cca-Cssmgt1 <4cca-Cssmgt1@ca4.uscourts.gov>; 4cca-Cssmgt2 <4cca-Cssmgt2@ca4.uscourts.gov>; Ashley Brownlee

<Ashley_Brownlee@ca4.uscourts.gov>; Lisa Jernigan <Lisa_Jernigan@ca4.uscourts.gov>; Amy Carlheim

<Amy_Carlheim@ca4.uscourts.gov>; Nwamaka Anowi <Nwamaka_Anowi@ca4.uscourts.gov>

Subject: New Case Without Fee Payment Transaction Submitted

Transaction submitted by Andrew U. D. Straw on 10/24/2023 at 01:05 AM

Description: New Case Without Fee Payment

Payment Method: n/a

Fee Receipt Number: null

Fee Amount: \$0.00